


FEB 12 2014

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

JEFFREY LEE HELD,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Civil Action No. 7:12-CV-00457

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Robert S. Ballou, United States Magistrate Judge. The Magistrate Judge has filed a report recommending denying the Commissioner's motion for summary judgment, granting in part the plaintiff's motion for summary judgment, and reversing and remanding this case for further administrative consideration under sentence four of 42 U.S.C. § 405(g). Objections to the report and recommendation have not been filed, and the court, upon review of pertinent portions of the record, is of the opinion that the report should be adopted.

It is accordingly **ORDERED** and **ADJUDGED** that the Report and Recommendation is **ADOPTED** (Docket No. 18), the Commissioner's motion for summary judgment (Docket No. 14) is **DENIED**, the plaintiff's motion for summary judgment (Docket No. 11) is **GRANTED in part**, this case is **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g) for further administrative consideration consistent with the Magistrate Judge's Report and Recommendation, including full and proper consideration of the functional capacity exam report, and this case is **STRICKEN** from the docket of the court.

ENTER: This February 12, 2014.


UNITED STATES DISTRICT JUDGE